

PROSECUTION TEAM EVIDENCE AND REBUTTAL EVIDENCE LIST

The following items are evidence for the Central Valley Regional Water Quality Control Board hearing regarding Administrative Civil Liability Complaint No. R5-2017-0504, Sweeney Dairy, Tulare County. Rebuttal evidence is included in red. This matter is scheduled to be heard at the 6/7 April 2017 Central Valley Water Board hearing in Clovis.

Exhibit	Title of Document	Location
1	ACLO R5-2011-0068	Sweeney Dairy public file, available at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/tulare/r5-2011-0068_enf.pdf
2	ACLO R5-2012-0070	Sweeney Dairy public file, available at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/tulare/r5-2012-0070_enf.pdf
3	ACLO R5-2013-0091	Sweeney Dairy public file, available at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/tulare/r5-2013-0091_aclo.pdf
4	ACLO R5-2014-0119	Sweeney Dairy public file, available at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/tulare/r5-2014-0119_aclo.pdf
5	ACLO R5-2015-0065	Sweeney Dairy public file, available at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/tulare/r5-2015-0065_aclo.pdf
6	ACLO R5-2016-0063	Sweeney Dairy public file, available at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/tulare/r5-2016-0063_aclo.pdf
7	Reissued Waste Discharge Requirements General Order for Existing Milk Cow Dairies, Order R5-2013-0122	Exhibit A to the Complaint Available at: http://www.waterboards.ca.gov/centralvally/board_decisions/adopted_orders/general_orders/r5-2013-0122.pdf
8	Notice of Violation Issued 15 August 2016	Attached to the Complaint as Exhibit B
9	Pre-ACL Settlement Letter Issued 1 December 2016	Attached to the Complaint as Exhibit C

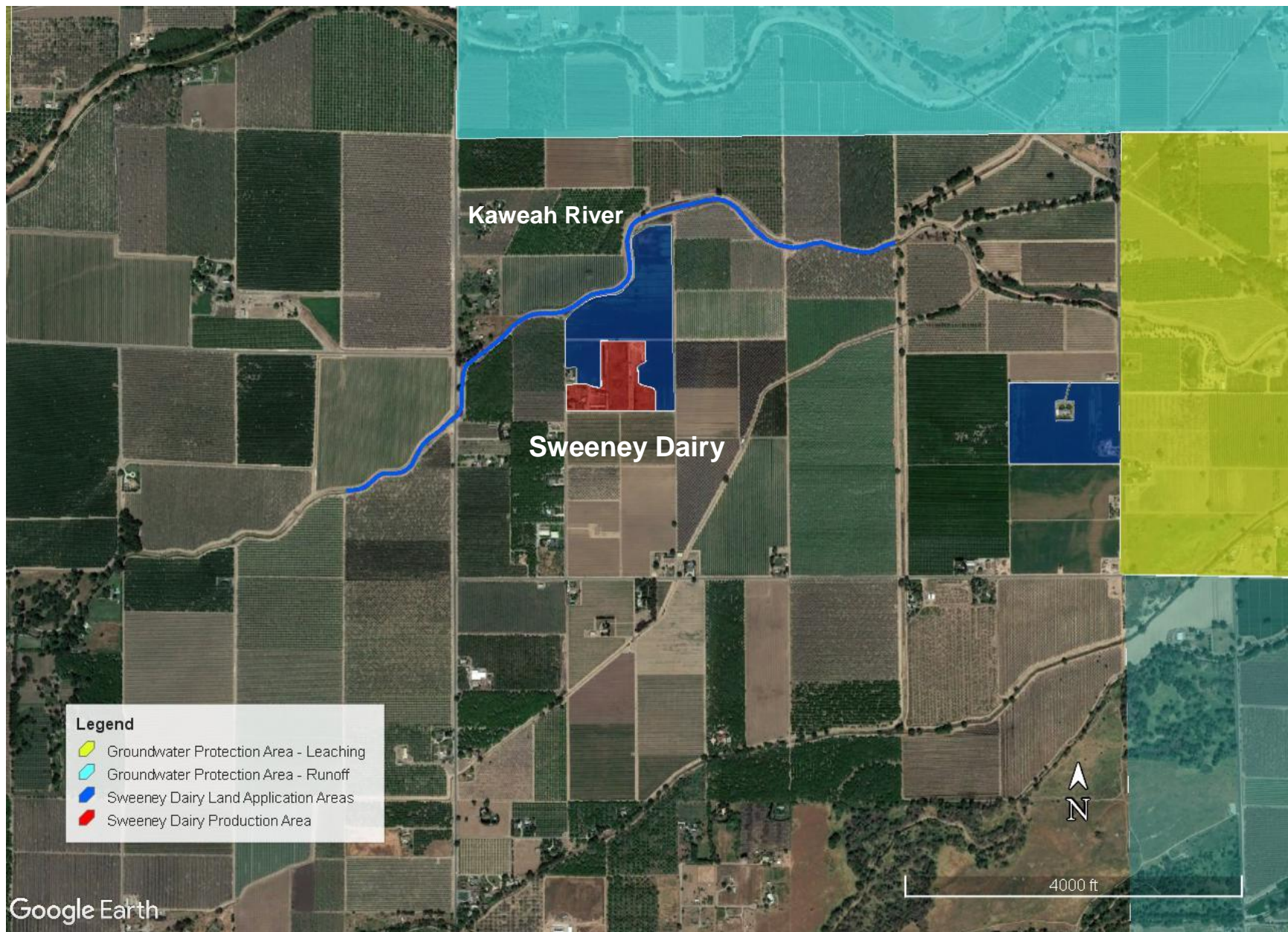
Sweeney Dairy
Prosecution Team Evidence List

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Exhibit	Title of Document	Location
10	Signed certified mail return receipt of 15 August 2016 NOV	Attached
11	Signed certified mail return receipt of 1 December 2016 Pre-ACLC letter	Attached
12	Compliance by Dairy Size for Submission of the 2015 Annual Report	Attached
13	Signed certified mail return receipt of ACLC R5-2017-0504	Attached
14	Economic Benefit Analysis Prepared by Bryan Elder on 23 December 2016	Attached
15	2015 Annual Reports for Dairies	Available at: California Integrated Water Quality System (CIWQS) https://ciwqs.waterboards.ca.gov and Electronic Content Management (ECM) Database accessible at the Central Valley Regional Water Quality Control Board Offices
16	12 August 2016 Inspection Report and NOV	Attached
17	Sweeney Dairy Location Map	Attached
18	2009 Groundwater Sample Analysis Results	Attached

Exhibit 17

Sweeney Dairy Location Map



**Vicinity Map
Sweeney Dairy, Tulare County**

Exhibit 18

2009 Groundwater Sample Analysis Results



Analytical Chemists
June 19, 2009

Valley Tech Agricultural Lab Services
Attn: Monique Baldiviez
2120 South "K" Street
Tulare, CA 93274

Lab ID : VI 0941248
Customer : 4-18503

Laboratory Report

Introduction: This report package contains total of 3 pages divided into 3 sections:

Case Narrative (1 pages) : An overview of the work performed at FGL.
Sample Results (1 page) : Results for each sample submitted.
Quality Control (1 page) : Supporting Quality Control (QC) results.

Case Narrative

This Case Narrative pertains to the following samples:

Sample Description	Date Sampled	Date Received	FGL Lab ID #	Matrix
Domestic Well 6-04X111	06/04/2009	06/06/2009	VI 0941248-001	AgW

Sampling and Receipt Information: The sample was received, prepared and analyzed within the method specified holding times. All samples arrived at 4 °C. All samples were checked for pH if acid or base preservation is required (except for VOAs). For details of sample receipt information, please see the attached Chain of Custody and Condition Upon Receipt Form.

Quality Control: All samples were prepared and analyzed according to the following tables:

Inorganic - Wet Chemistry QC

2510B	06/09/2009:207364 All analysis quality controls are within established criteria
	06/09/2009:205973 All preparation quality controls are within established criteria
4500NO3F	06/11/2009:207491 All analysis quality controls are within established criteria
	06/11/2009:206038 All preparation quality controls are within established criteria

Certification:: I certify that this data package is in compliance with NELAC standards, both technically and for completeness, except for any conditions listed above. Release of the data contained in this data package is authorized by the Laboratory Director or his designee, as verified by the following electronic signature.

KD:KDM

Approved By Kelly A. Dunnahoo, B.S.

Digitally signed by Kelly A. Dunnahoo, B.S.
Title: Laboratory Director
Date: 2009-06-19

SEP 15 2009

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June 19, 2009 Analytical Chemists

Lab ID : VI 0941248-001

Customer ID : 4-18503

Valley Tech Agricultural Lab Services

Attn: Monique Baldiviez

2120 South "K" Street

Tulare, CA 93274

Sampled On : June 4, 2009-09:00

Sampled By : Not Available

Received On : June 6, 2009-12:30

Matrix : Ag Water

Description : Domestic Well 6-04X111

Project : Sweeney Dairy

Sample Result - Inorganic

Constituent	Result	PQL	Units	Note	Sample Preparation		Sample Analysis	
					Method	Date/ID	Method	Date/ID
Wet Chemistry ^{P-1}								
Conductivity	303	1	umhos/cm		2510B	06/09/09:205973	2510B	06/09/09:207364
Nitrate Nitrogen	11.3	0.1	mg/L		4500NO3F	06/11/09:206038	4500NO3F	06/11/09:207491

ND=Non-Detected. PQL=Practical Quantitation Limit; Containers: (P) Plastic Preservatives: H2SO4 pH < 2 ‡Surrogate.



Analytical Chemists

June 19, 2009
Valley Tech Agricultural Lab Services

Lab ID : VI 0941248
Customer : 4-18503

Quality Control - Inorganic

Constituent	Method	Date/ID	Type	Units	Conc.	QC Data	DQO	Note
Wet Chem Conductivity	2510B	06/09/2009:207364	ICB	umhos/cm		0.1	1	
			CCV	umhos/cm	999.0	100 %	95-105	
			CCV	umhos/cm	999.0	99.9 %	95-105	
E. C.	2510B	06/09/2009:205973	Blank	umhos/cm		ND	<1	
			Dup	umhos/cm		0.1%	0.372	
Nitrate + Nitrite as N	4500NO3F	06/11/2009:206038 (STK0935142-001)	MS	mg/L	4.000	50.6 %	5-285	
			MSD	mg/L	4.000	43.1 %	5-285	
			MSRPD	mg/L	4.000	15.9%	≤30.4	
	4500NO3F	06/11/2009:207491	ICB	mg/L		0.007	0.1	
			ICV	mg/L	4.000	100 %	90-110	
			CCB	mg/L		0.009	0.1	
			CCV	mg/L	4.000	109 %	90-110	
Definition ICV : Initial Calibration Verification - Analyzed to verify the instrument calibration is within criteria. ICB : Initial Calibration Blank - Analyzed to verify the instrument baseline is within criteria. CCV : Continuing Calibration Verification - Analyzed to verify the instrument calibration is within criteria. CCB : Continuing Calibration Blank - Analyzed to verify the instrument baseline is within criteria. Blank : Method Blank - Prepared to verify that the preparation process is not contributing contamination to the samples. MS : Matrix Spikes - A random sample is spiked with a known amount of analyte. The recoveries are an indication of how that sample matrix affects analyte recovery. MSD : Matrix Spike Duplicate of MS/MSD pair - A random sample duplicate is spiked with a known amount of analyte. The recoveries are an indication of how that sample matrix affects analyte recovery. Dup : Duplicate Sample - A random sample with each batch is prepared and analyzed in duplicate. The relative percent difference is an indication of precision for the preparation and analysis. MSRPD : MS/MSD Relative Percent Difference (RPD) - The MS relative percent difference is an indication of precision for the preparation and analysis. ND : Non-detect - Result was below the DQO listed for the analyte. DQO : Data Quality Objective - This is the criteria against which the quality control data is compared.								